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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Russell L. Miller et al.

Serial No.: 10/817,559

Filing Date: April 2, 2004

Confirmation No.: 3797

For: **BATTERY RACK AND SYSTEM**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING/EXPRESS MAIL

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Date of Deposit 9/20/04

I hereby certify that this paper, which is an INFORMATION DISCLOSURE STATEMENT with regard to Serial Number 10/817,559, filed April 2, 2004 (Our File No. D1243 1010.1 (01243.0133.5)), and all referenced enclosures are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Mailed By: Jan L. Thomas
Jan L. Thomas



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INFORMATION DISCLOSURE STATEMENT

The subject application is a continuation of a previously-filed parent application.

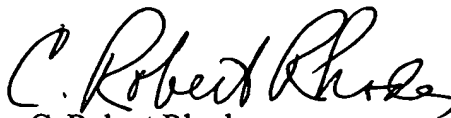
Reference is made to previously filed Application Serial No. 09/989,502, filed November 20, 2001, now U.S. Patent No. 6,719,150, issued April 13, 2004, for the art supplied and of which Applicants are aware. Applicants wish to make of further reference in the subject application two prior art references in the form of brochures, copies of which are enclosed herewith.

A Form PTO 1449 listing the references from the parent application and the two further cited references is attached herewith. Inclusion herein of any particular item of information, however, is not to be construed as an admission that the same is prior art. Applicants request that the Examiner indicate his or her consideration of the references by initialing this form, and Applicants request this information be printed on the face of the patent.

Copies of all the references cited by Applicants or the Examiner in the previously-filed parent case are available in the application file, but Applicants will be pleased to provide further copies, if requested.

If any fees are deemed required, Applicants request that this be considered a Petition
therefore, and the Director is hereby authorized to charge such fees to Deposit Account
No. 09-0528.

Respectfully submitted,



C. Robert Rhodes

Reg. No. 24,200

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC

P.O. Box 7037

Atlanta, GA 30357-0037

Tel: 336-574-8040

Fax: 336-574-4512

Date: 9-20-04
File No.: D1243 1010.1 (01243.0133.5)



FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DKT NO. D1243 1010.1 (133.5)		SERIAL NO. 10/817,559		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Russell L. Miller et al.				
				FILING DATE 4/2/04		GROUP 1745		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.	
	A	1,487,856	3/1924	Hauserman et al.	108	60		
	B	2,577,101	12/1951	Ball et al.	312	107		
	C	3,272,581	9/1966	Stucki	312	234.4		
	D	3,541,396	11/1970	Cardwell et al.	361	803		
	E	4,056,295	11/1977	Downing	312	107		
	F	4,317,497	3/1982	Alt et al.	180	68.5		
	G	4,501,367	2/1985	Gill	211	41.17		
	H	4,707,038	11/1987	Voegeli	312	265.5		
	I	5,245,359	9/1993	Ito et al.				
	J	5,284,254	2/1994	Rinderer	211	26		
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION	
							YES	NO
	K	WO 00 04632	1/2000	WIPO				
OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)								
	1a-l	Brochure: <i>PowerSafe DDM: Performance Specifications</i> , EnerSys, Inc., Reading, Pennsylvania, June 2003.						
	2a-h	Brochure: <i>Independence: Valve Regulated Lead-Acid Batteries</i> , EnerSys, Inc., Reading, Pennsylvania, May 2000.						
EXAMINER					DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

(Form PTO-1449)

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EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.	
	L	5,295,591	3/1994	Slater	211	59.2		
	M	5,366,827	11/1994	Belanger et al.	429	99		
	N	5,441,123	8/1995	Beckley	180	68.5		
	O	5,590,939	1/1997	Piontek	312	263		
	P	5,644,477	7/1997	Klein	361	829		
	Q	5,867,372	2/1999	Khie	361	826		
	R	5,890,606	4/1999	Kuipers	211	186		
	S	5,936,371	8/1999	Bolash et al.				
	T	5,981,101	11/1999	Stone	429	100		
	U	6,120,934	9/2000	Linning et al.	429	175		
	V	6,126,022	10/2000	Merkel	361	752		
	W	6,162,559	12/2000	Vutetakis et al.	429	100		
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION	
							YES	NO
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	X	6,279,756	8/2001	Walter et al.	254	100		
	Y	6,310,783	10/2001	Winch et al.	261	797		
	Z	6,370,022	4/2002	Hooper et al.	361	685		
	AA	6,451,475	9/2002	Sherwood	429	100		
	BB	6,466,449	10/2002	Sheen et al.	361	752		
	CC	6,475,659	11/2002	Heimer	429	66		
	DD	6,478,166	11/2002	Hung	211	26		
	EE	6,482,541	11/2002	Bator, Jr. et al.	429	100		
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		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION	
							YES	NO
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